

HOUSE BILL 54

By Potts

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 5; Title 6; Title 7; Title 12, Chapter 2; Title 13
and Title 68, relative to diaper changing stations in
buildings accessible to the public.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 12, Chapter 2, Part 1, is amended by
adding the following new section:

(a) A public building that is owned, operated, or under the control of a public entity, including any portion of a public building that is owned, operated, or under the control of a public entity, must be equipped with at least one (1) safe, sanitary, convenient, and accessible baby diaper changing station that is accessible to both men and women, either by placement of a station in both the men's and women's restrooms or by placement in a stand-alone family or unisex restroom for use by both men and women.

(b) Each baby diaper changing station must include signage at or near the entrance to the station indicating its location. If the public building maintains a central directory, the directory must indicate the location of each station.

(c) Each baby diaper changing station must be maintained, repaired, and replaced as necessary to ensure safety and ease of use, and must be cleaned with the same regularity as any other restroom on the public building's premises.

(d)

(1) This section only applies to newly constructed public buildings and to public buildings for which the bathrooms are being renovated where the cost of the construction or renovation is not less than ten thousand dollars (\$10,000).

(2) This section does not apply to:

(A) A public building if a building inspector determines that the installation of a baby diaper changing station is not feasible or would result in a failure to comply with applicable building standards governing the right of access for persons with disabilities; or

(B) A healthcare facility if the restroom is intended for the use of one (1) patient or resident at a time.

(e) This section is not enforceable by private right of action.

(f) As used in this section:

(1) "Healthcare facility" means an office or institution providing care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including, but not limited to, all waiting rooms, hallways, private rooms, semiprivate rooms, and wards within the facility;

(2) "Public building" means a building that is accessible to the public and that is owned, operated, or under the control of a public entity; and

(3) "Public entity" means this state or any agency, political subdivision, or institution of this state, including, but not limited to, counties, metropolitan governments, municipalities, school districts, and special districts.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

it.